

THURSDAY, JANUARY 17, 2002

SEVENTIETH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Jack Shaffer, Capitol Ministries, Nashville, Tennessee.

Representative Boyer led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present.....95

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Caldwell; business reasons.

Representative Kisber; personal reasons.

Representative Odom; business reasons.

Representative Turner (Davidson); personal reasons.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 600: Rep(s). Garrett as prime sponsor(s).

House Joint Resolution No. 603: Rep(s). Garrett as prime sponsor(s).

House Joint Resolution No. 608: Rep(s). Fraley as prime sponsor(s).

House Joint Resolution No. 616: Rep(s). Rowland, Beavers, Fowlkes, Sands and Fraley as prime sponsor(s).

House Joint Resolution No. 617: Rep(s). Rowland as prime sponsor(s).

ENROLLED BILLS

January 15, 2002

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 594, 595, 596 and 597.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

January 15, 2002

The Speaker signed the following: House Joint Resolution(s) No(s). 594, 595, 596 and 597.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

January 15, 2002

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 594, 595, 596 and 597; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

January 15, 2002

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 594, 595, 596 and 597.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
January 17, 2002

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 508; adopted for concurrence.

RUSSELL A. HUMPHREY, Chief Clerk.

Senate Joint Resolution No. 508 -- General Assembly, Recess & Reconvene - Recesses general assembly from close of business on Thursday, January 17, 2002, to Monday, January 28, 2002, at 5:00 p.m. (CST). by *Crutchfield.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for January 28, 2002:

House Resolution No. 186 -- Memorials, Personal Occasion - Mr. and Mrs. Walter E. Tittle, Sr., 50th Wedding Anniversary. by *Patton.

House Resolution No. 187 -- Memorials, Personal Occasion - Mr. And Mrs. Ralph Hill, 50th Wedding Anniversary. by *Patton.

House Resolution No. 188 -- Memorials, Personal Occasion - Mr. and Mrs. Roy L. Bailey, 50th Wedding Anniversary. by *Patton.

House Resolution No. 189 -- Memorials, Personal Occasion - Reverend and Mrs. Roy J. Cooper, 50th wedding anniversary. by *Patton.

House Resolution No. 190 -- Memorials, Recognition - Lea Cavender. by *Davis (Cocke).

House Resolution No. 191 -- Memorials, Congratulations - Clifford Anderson. by *Phillips.

House Joint Resolution No. 618 -- Memorials, Heroism - Personnel of New York City Fire and Police Departments, Port Authority Police Department, and emergency medical personnel and other responders who died or were injured during events of September 11, 2001. by *Miller L.

House Joint Resolution No. 619 -- Memorials, Professional Achievement - Marily Humphreys Gaines, Bartlett High School English Teacher. by *Pleasant.

House Joint Resolution No. 620 -- Memorials, Sports - Germantown Lady Red Devils 2001 Class AAA State Soccer Champions. by *Scroggs.

House Joint Resolution No. 621 -- Memorials, Retirement - Roland Maddox. by *Casada.

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House Joint Resolution No. 625 -- Memorials, Public Service - John R. Phillips, Sr., Stellar Tribute Award. by *McDonald, *Black.

House Joint Resolution No. 626 -- Memorials, Death - Thomas Anthony (Tony) Utley. by *McDonald, *Black.

House Joint Resolution No. 627 -- Memorials, Death - Former State Representative Gwen Fleming. by *Mumpower, *Godsey, *Davis (Washington), *Westmoreland.

House Joint Resolution No. 628 -- Memorials, Sports - McNairy Central High School Bobcats, TSSAA Region 6-AAA Football Champions. by *Rinks.

House Joint Resolution No. 629 -- Memorials, Sports - Adrian Jamison, TSSAA Class A "Mr. Football". by *Maddox, *Phelan.

House Joint Resolution No. 630 -- Memorials, Death - George Broussard. by *Maddox.

House Joint Resolution No. 631 -- Memorials, Sports - Justin Harrell, 2001 TSSAA Division 1 Class 2A "Mr. Football". by *Maddox.

House Joint Resolution No. 632 -- Memorials, Retirement - Gerald F. Nicely. by *Langster, *Naifeh, *Pruitt, *Jones, S., *West, *Arriola, *Harwell, *Garrett, *DeBerry L, *Briley, *Jones U (Shelby), *Davidson, *Kisber, *Kent, *Head, *Hood, *Bone, *Ferguson.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

***House Bill No. 2109** -- Statutes - Codifies public acts of 2001. by *Davidson.

***House Bill No. 2110** -- Zoning - Clarifies that right of businesses to continue to operate after zoning change does not include right to increase or enlarge signs or billboards. Amends TCA Section 13-7-208. by *Whitson.

House Bill No. 2111 -- Evidence - Makes driver record maintained by department of safety prima facie evidence of defendant's prior conviction in prosecution for subsequent offense of driving on suspended, revoked or canceled driver license unless allegation of error made in writing. Amends TCA Title 55, Chapter 50. by *Newton, *Westmoreland.

House Bill No. 2112 -- Criminal Procedure - Permits evidence of defendant's prior convictions for sex offenses involving victims who were less than 13 years old to be introduced and considered as relevant at any trial in which defendant is charged with specified sex offense in which victim is less than 13 years old. Amends TCA Title 40, Chapter 17. by *Scroggs, *Hargrove, *Newton.

***House Bill No. 2113** -- Education - Provides for attendance at schools of LEA in which student is not permanent resident. Amends TCA Title 49, Chapter 6, Part 30 and Part 31. by *Caldwell.

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***House Bill No. 2114** -- Liens - Creates lien on real property in favor of volunteer fire company if company fights fire and property owner or person in control of property has not made annual contribution to company; lien is subordinate to lien of mortgage, taxes, and other liens taking priority. Amends TCA Title 66, Chapter 11. by *Caldwell.

House Bill No. 2115 -- Claims Commission, Tennessee - Extends term of office for persons serving on commission from six years to eight years. Amends TCA Title 9, Chapter 8, Part 3. by *Cole (Dyer).

***House Bill No. 2116** -- Driver Licenses - Authorizes trial judge to issue restricted driver license to individual who does not have prior conviction for DUI or adult driving while impaired within 10 years of present violation. Amends TCA Section 55-10-403 and Section 55-50-502. by *Newton.

House Bill No. 2117 -- Coffee County - Subject to local approval, decreases highway commission from six to five members. Amends Chapter 8 of the Private Acts of 1971; as amended. by *Lewis.

***House Bill No. 2118** -- Alcoholic Beverages - Redefines "convention center" for purposes of authorization of sale and consumption of alcoholic beverages to include Manchester convention center. Amends TCA Title 57, Chapter 4, Part 1. by *Lewis.

House Bill No. 2119 -- Taxes, Inheritance Gift - Provides that gift to qualified Tennessee education savings plan (BEST program) is exempt from Tennessee gift tax to same extent as federal gift tax. Amends TCA Title 49, Chapter 7, Part 8 and Title 67. by *Fowlkes.

***House Bill No. 2120** -- Parks, Natural Areas Preservation - Prohibits closure of state parks that receive federal money unless general assembly approves such closure by resolution. Amends TCA Title 11, Chapter 3, Part 1. by *Windle.

***House Bill No. 2121** -- Food and Food Products - Requires catfish products sold in state to be labeled with nation of origin included thereon; grants department of agriculture enforcement powers with authority to impose civil penalties. Amends TCA Title 53. by *Bone.

***House Bill No. 2122** -- Motor Vehicles, Titling and Registration - Authorizes issuance of Ruritan National new specialty earmarked license plates; allocates 50 percent of funds derived from sale thereof to Ruritan National Foundation for student financial aid and disaster relief programs. Amends TCA Title 55, Chapter 4. by *Johnson, *Newton, *Montgomery, *Baird, *Ferguson.

***House Bill No. 2123** -- Local Government, General - Allows municipal and metropolitan government employees to qualify to run for elected office in local governing body provided that upon election such person's city or metropolitan government employment is terminated on day such person takes office. Amends TCA Title 7, Chapter 51, Part 15. by *Bone.

***House Bill No. 2124** -- Domestic Violence - Authorizes courts to compel perpetrator of domestic violence to reimburse domestic violence shelter for reasonable costs of providing necessary shelter services for perpetrator's victims. Amends TCA Title 36, Chapter 3, Part 6; Title 39, Chapter 11, Part 1 and Title 71, Chapter 6, Part 2. by *Bone.

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***House Bill No. 2125** -- Teachers, Principals and School Personnel - Removes authority for board of education to deny access to facilities to certain professional employees' organizations. Amends TCA Section 49-5-609. by *Bunch.

***House Bill No. 2126** -- Courts, Supreme Court of Tennessee - Clarifies that supreme court has general supervisory control over all boards and commissions created by court as well as all inferior state courts. Amends TCA Title 16, Chapter 3, Part 5. by *McMillan.

***House Bill No. 2127** -- Divorce, Annulment and Alimony - Allows parties petitioning for divorce or separation to apply to court for injunctive relief against another party, but third party is not bound by injunctions taking effect upon filing of petition. Amends TCA Section 36-4-106. by *McMillan.

***House Bill No. 2128** -- Public Defenders - Requires that \$12.50 court cost collected for purpose of defraying cost of legal representation of indigent criminal defendants in multi-county judicial districts be remitted to executive director of public defender conference for use as supplemental funding for public defender in such multi-county district. Amends TCA Section 40-14-210. by *McMillan.

***House Bill No. 2129** -- Judges and Chancellors - Extends jurisdiction of court of judiciary to include all persons presiding over courts, such as special judges, and to candidates for judicial office; gives court more flexibility in fashioning appropriate sanction; and defines available sanctions. Amends TCA Title 17, Chapter 5. by *McMillan.

House Bill No. 2130 -- Lauderdale County - Subject to local approval, decreases school board from nine to eight members. by *Fitzhugh.

***House Bill No. 2131** -- Election Laws - Revises dates for early voting to be no more than 15 days before election; early voting continues until day of election. Amends TCA Title 2, Chapter 6, Part 1. by *Jones, S., *Turner (Davidson), *West, *Garrett, *Langster, *Pruitt, *Arriola, *Odom, *Briley.

***House Bill No. 2132** -- Election Laws - Requires municipal elections to be held on Saturdays unless charter of municipality provides otherwise. Amends TCA Title 2, Chapter 3. by *Jones, S., *Turner (Davidson), *Garrett, *West, *Langster, *Pruitt, *Harwell, *Arriola, *Odom, *Briley.

House Bill No. 2133 -- Insurance, Health, Accident - Requires reimbursement of physician assistant if insurance allows for payment to assistant physician in surgery and physician assistant performs that function. Amends TCA Title 56, Chapter 7, Part 24. by *Odom.

***House Bill No. 2134** -- Arbitration - Decreases time of filing from eight to six months when award is not fixed in submission. Amends TCA Title 29. by *Odom.

***House Bill No. 2135** -- Zoning - Increases from 10 to 30 days time for county building commissioner to mail certificate of compliance or copy to permittee after building permit expires. Amends TCA Title 13. by *Odom.

***House Bill No. 2136** -- Corporations, For Profit - Increases length of validity for appointment of proxy for corporate shareholder voting purposes from 11 months to one year. Amends TCA Title 48. by *Odom.

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***House Bill No. 2137** -- Mental Health and Developmental Disabilities, Dept. of - Changes time within which notice mailed to next of kin of deceased patient or resident must be mailed from within ten days to within five days of death. Amends TCA Title 33. by *Odom.

***House Bill No. 2138** -- Motor Vehicles - Increases from 200 to 250 feet distance required for clear view of vehicle parked on highway outside business or residential district. Amends TCA Title 55. by *Odom.

***House Bill No. 2139** -- Consumer Protection - Prohibits price gouging for goods or services during period of abnormal market disruption. Amends TCA Title 47, Chapter 18, Part 1. by *Odom.

House Bill No. 2140 -- Smithville - Subject to local approval, establishes city court with city judge to be appointed upon expiration of current city judge's term. Amends Chapter 486 of the Private Acts of 1941; as amended. by *Buck.

***House Bill No. 2141** -- DUI/DWI Offenses - Increases mandatory minimum fine for child endangerment from \$1,000 to \$1,500. Amends TCA Title 55, Chapter 10, Part 4. by *Buck.

***House Bill No. 2142** -- Home Improvement Contractors - Prohibits unlicensed contractors from demolishing residential buildings. Amends TCA Title 4; Title 7; Title 13; Title 62 and Title 65. by *Buck.

***House Bill No. 2143** -- Safety, Dept. of - Requires commissioner to periodically update listing of employees authorized to exercise functions of notary public. Amends TCA Title 4, Chapter 29; Title 4, Chapter 3; Title 4, Chapter 4; Title 4, Chapter 7; Title 49, Chapter 1 and Title 55. by *Buck.

***House Bill No. 2144** -- Firearms and Ammunition - Extends time sale of confiscated weapon shall be advertised in daily or weekly newspaper from not less than three editions and not less than 30 days to not less than four editions and not less than 40 days. Amends TCA Title 39, Chapter 17, Part 13. by *Buck.

***House Bill No. 2145** -- County Government - Makes various changes to funding and responsibilities of county government including requiring state to purchase voting equipment for county election commissions and to compensate county election commission members; increasing percentage of litigation tax court clerks receive from 15 percent to 20 percent; increasing percentage of collected revenues county clerks receive from 5 percent to 20 percent; requiring state to compensate and provide benefits for all LEA licensed personnel; removing provision prohibiting county from collecting privilege taxes. Amends TCA Title 2; Title 8; Title 16; Title 33; Title 38; Title 41; Title 49 and Title 67. by *Buck.

***House Bill No. 2146** -- Tennessee Bureau of Investigation - Reduces time for board of claims to act on disability claim for member of bureau who is injured in line of duty from 30 to 20 days. Amends TCA Title 38, Chapter 6. by *Buck.

***House Bill No. 2147** -- Criminal Procedure - Increases maximum rewards for information leading to apprehension, arrest, and conviction of person or persons from \$50,000 to \$60,000 for Class A or B felony and from \$5,000 to \$8,000 for Class C, D, or E felony. Amends TCA Title 38; Title 39 and Title 40. by *Buck.

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***House Bill No. 2148** -- Safety, Dept. of - Increases from 10 days to 15 days time in which department must notify licensing state and commercial driver license information system that commercial driver has violated traffic law; increases from 10 days to 15 days time in which clerk must notify department of conviction of commercial driver violating traffic law. Amends TCA Title 54; Title 55 and Title 67. by *Buck.

***House Bill No. 2149** -- Tort Liability - Clarifies that immunity for LEA employees relating to management of asbestos applies to buildings or other structures leased, owned, or controlled by LEA. Amends TCA Title 29, Chapter 20 and Title 62. by *Buck.

***House Bill No. 2150** -- Tort Liability - Extends period governmental entities are required to file report on tort liability activities with state treasurer from three to five years. Amends TCA Title 29. by *Buck.

***House Bill No. 2151** -- Transportation, Dept. of - Deletes requirement that wildflower areas carry appropriate notations. Amends TCA Title 54, Chapter 1, Part 1 and Title 54, Chapter 5, Part 12. by *Buck.

***House Bill No. 2152** -- Workers' Compensation - Requires Advisory Council on Workers' Compensation to comment on revisions to certain standards governing settlement of workers' compensation claims within 45 days instead of 60 days. Amends TCA Title 50, Chapter 6. by *Buck.

***House Bill No. 2153** -- Zoning - Clarifies interpretation of statute governing effect of zoning change on existing business as inapplicable to outdoor advertising. Amends TCA Section 13-7-208. by *Buck.

***House Bill No. 2154** -- Hospitals and Health Care Facilities - Establishes reasonable costs of furnishing medical records to patient who is not indigent for purpose of supporting claim or appeal under Social Security Act at not more than \$20.00 for records 40 pages or less in length and \$0.25 per page for each page after 40 and actual cost of mailing. Amends TCA Title 63, Chapter 2, Part 1 and Title 68, Chapter 11, Part 3. by *Buck.

***House Bill No. 2155** -- Civil Procedure - Increases from \$5.00 to \$10.00 amount of nominal damages plaintiff must recover in certain civil actions to be entitled to recover full costs; applicable civil actions are actions founded upon assault, battery, malicious prosecution, false imprisonment, or recovery of damages for overflowing of water by building of gristmill or other waterworks. Amends TCA Title 20 and Title 29. by *Buck.

House Bill No. 2156 -- Child Custody and Support - Deletes present requirement of permanent parenting plan that obligor must report annually obligor's income to obligee and department of human services. Amends TCA Title 36, Chapter 6. by *Buck.

House Bill No. 2157 -- Court Rules - Deletes statute that incorporates rules of practice of chancery court into code. Amends TCA Title 21, Chapter 1. by *Buck.

House Bill No. 2158 -- Courts - Requires person wishing to become credentialed court interpreter for spoken foreign languages to submit fingerprint sample for purpose of criminal history records check being conducted on such person. Amends TCA Title 16, Chapter 3. by *Buck.

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House Bill No. 2159 -- Taxes, Litigation - Provides that collection of litigation tax on civil appeals is to occur at time appeal is docketed; excludes litigation taxes from interest and penalties for delinquent taxes; and authorizes appellate court clerk 15 percent commission for collecting litigation taxes. Amends TCA Title 8, Chapter 21; Title 67, Chapter 4 and Title 67, Chapter 1. by *Buck.

House Bill No. 2160 -- Criminal Offenses - Removes "reversal on appeal" as ground for which person is entitled to have criminal records expunged; provides that appellate court records and opinions are not expungeable "public records"; and requires court clerks to send copy of all expungement orders to administrative office of courts as well as TBI. Amends TCA Title 38, Chapter 6 and Title 40, Chapter 32. by *Buck.

***House Bill No. 2161** -- Taxes, Motor Vehicle - Increases number of days in which voters can petition for referendum on wheel tax levied by county under general law provisions from 30 to 45. Amends TCA Title 5; Title 6; Title 7 and Title 55. by *Buck.

House Bill No. 2162 -- Sunset Laws - Removes Anderson County community action commission from sunset provisions. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 5. by *Kernell, *Brooks, *Cooper B.

House Bill No. 2163 -- Sunset Laws - Removes Blount County community action agency from sunset provisions. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 5. by *Kernell, *Brooks, *Cooper B.

House Bill No. 2164 -- Sunset Laws - Removes Bradley-Cleveland community service agency from sunset provisions. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 5. by *Kernell, *Brooks, *Cooper B.

House Bill No. 2165 -- Sunset Laws - Removes Clarksville-Montgomery County community action agency from sunset provisions. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 5. by *Kernell, *Brooks, *Cooper B.

House Bill No. 2166 -- Sunset Laws - Removes Cordell Hull economic opportunity corporation from sunset provisions. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 5. by *Kernell, *Brooks, *Cooper B.

House Bill No. 2167 -- Sunset Laws - Delta human resource agency, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 13, Chapter 26. by *Kernell, *Brooks, *Cooper B.

House Bill No. 2168 -- Sunset Laws - Removes Douglas-Cherokee economic authority from sunset provisions. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 5. by *Kernell, *Brooks, *Cooper B.

House Bill No. 2169 -- Sunset Laws - East Tennessee human resource agency, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 13, Chapter 26. by *Kernell, *Brooks, *Cooper B.

House Bill No. 2170 -- Sunset Laws - First Tennessee human resource agency, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 13, Chapter 26. by *Kernell, *Brooks, *Cooper B.

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House Bill No. 2171 -- Sunset Laws - Removes Highland Rim economic corporation from sunset provisions. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 5. by *Kernell, *Brooks, *Cooper B.

House Bill No. 2172 -- Sunset Laws - Removes Mid-Cumberland community action agency from sunset provisions. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 5. by *Kernell, *Brooks, *Cooper B.

House Bill No. 2173 -- Sunset Laws - Mid-Cumberland human resource agency, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 13, Chapter 26. by *Kernell, *Brooks, *Cooper B.

House Bill No. 2174 -- Sunset Laws - Removes Mid-East community action agency from sunset provisions. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 5. by *Kernell, *Brooks, *Cooper B.

House Bill No. 2175 -- Sunset Laws - Mountain Valley economic opportunity authority, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 5. by *Kernell, *Brooks, *Cooper B.

House Bill No. 2176 -- Sunset Laws - Removes Northwest Tennessee economic council from sunset provisions. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 5. by *Kernell, *Brooks, *Cooper B.

House Bill No. 2177 -- Sunset Laws - Northwest Tennessee human resource agency, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 13, Chapter 26. by *Kernell, *Brooks, *Cooper B.

House Bill No. 2178 -- Sunset Laws - South central Tennessee human resource agency, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 13, Chapter 26. by *Kernell, *Brooks, *Cooper B.

House Bill No. 2179 -- Sunset Laws - Southeast Tennessee human resource agency, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 13, Chapter 26. by *Kernell, *Brooks, *Cooper B.

House Bill No. 2180 -- Sunset Laws - Southwest Tennessee human resource agency, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 13, Chapter 26. by *Kernell, *Brooks, *Cooper B.

House Bill No. 2181 -- Sunset Laws - Upper Cumberland human resource agency, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 13, Chapter 26. by *Kernell, *Brooks, *Cooper B.

House Bill No. 2182 -- Sunset Laws - Removes upper East Tennessee human development agency from sunset provisions. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 5. by *Kernell, *Brooks, *Cooper B.

***House Bill No. 2183** -- Alcoholic Beverage Commission - Extends period of time alcoholic beverage commission may issue temporary employee or server permit from 60 days to 90 days. Amends TCA Title 57, Chapter 3, Part 7. by *Kent.

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***House Bill No. 2184** -- Limitation of Actions - Extends statute of limitations for property tort actions from three years from accruing of cause of action to six years from accruing of cause of action. Amends TCA Title 28, Chapter 3. by *Kernell.

***House Bill No. 2185** -- Evidence - Provides that benevolent gestures of sympathy made to party involved in accident or party's family are inadmissible in civil action as evidence of admission of declarant's liability but admission of fault which is part of or in addition to such gesture is not inadmissible. Amends TCA Title 24, Chapter 7, Part 1. by *Overbey.

***House Bill No. 2186** -- Education, Higher - Requires students who are not U.S. citizens to register with police on monthly basis; requires UT and state board of regents to develop uniform, appropriate forms to track such registrations. Amends TCA Title 49, Chapter 7. by *Buttry.

***House Bill No. 2187** -- Appropriations - Allocates \$5,931,300 for homeland security purposes and \$1,260,000 for state parks. by *McDaniel, *Kisber, *Ford S, *Boyer.

***House Bill No. 2188** -- Financial Responsibility Law - Allows commissioner of safety to issue certificate of self-insurance to recognized religious sect or division. Amends TCA Title 55, Chapter 12. by *Windle.

***House Bill No. 2189** -- Safety, Dept. of - Provides commercial vehicle enforcement officer with pay equivalent to commissioned member of highway patrol with equivalent service. Amends TCA Title 4, Chapter 7; Title 8, Chapter 30; Title 55 and Title 65, Chapter 15. by *Windle.

House Bill No. 2190 -- Carter County - Subject to local approval, decreases school board from eight to seven members; provides for terms and election of such members. by *Cole (Carter).

House Bill No. 2191 -- Highway Signs - "Blanche Ward Berry Bridge," S.R. 91 in Carter County. by *Cole (Carter).

***House Bill No. 2192** -- Workers' Compensation - Creates lien in behalf of public hospital for services rendered in workers' compensation case. Amends TCA Title 29, Chapter 22 and Title 50, Chapter 6. by *Bunch.

***House Bill No. 2193** -- Highway Signs - Names bridge across Hiwassee River on US 11 (SR 2) "Captain James S. Varnell, Jr. Bridge.". by *Bunch.

***House Bill No. 2194** -- Landlord and Tenant - Allows landlord to pursue detainer action against tenant who fails to pay rent if rent not paid within five days of receiving notice. Amends TCA Title 66, Chapter 28, and Title 29, Chapter 18. by *Bunch.

***House Bill No. 2195** -- Attorneys at Law - Clarifies that filing of lawsuit is not debt collection. by *Bunch.

***House Bill No. 2196** -- Workers' Compensation - Authorizes parties in workers' compensation actions to execute assignments with respect to medical and hospital expenses incurred at hospital owned and operated by state or local government. Amends TCA Title 29, Chapter 22; Title 47, Chapter 14 and Title 50, Chapter 6. by *Bunch.

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***House Bill No. 2197** -- Local Government, General - Authorizes county clerk to deduct and collect \$1.00 from municipal wheel tax if designated by municipality as tax collection official. Amends TCA Title 5, Chapter 1, Part 1 and Title 6, Chapter 54, Part 1. by *Bunch.

***House Bill No. 2198** -- Courts, General Sessions - Adds general sessions courts to courts having jurisdiction to issue attachment on debt or demand of purely legal nature provided amount in controversy is within jurisdictional limit. Amends TCA Title 29, Chapter 6, Part 1. by *Bunch.

***House Bill No. 2199** -- County Government - Requires publication in newspaper of general circulation at least one week prior to county legislative body voting to sell county-owned assets of real property or improvements to real property. Amends TCA Title 5, Chapter 5. by *Bunch.

***House Bill No. 2200** -- Taxes, Real Property - Includes hospital and hospital property owned or leased by private not-for-profit 501(c)(3) corporation in definition of industrial and commercial property for payment of property taxes. Amends TCA Title 67. by *Bunch.

***House Bill No. 2201** -- Taxes, Real Property - Includes in definition of industrial and commercial property for payment of property taxes hospital and hospital property owned or leased by private not-for-profit 501(c)(3) corporation in county other than county of incorporation. Amends TCA Title 67. by *Bunch.

***House Bill No. 2202** -- Education - Provides that extended contract supplements can only be paid to employees on less than 12-month contracts. Amends TCA Title 49, Chapter 5, Parts 50 through 55. by *Bunch.

***House Bill No. 2203** -- Sheriffs - Prohibits any person qualifying for office of sheriff on or after July 1, 2002, from having any ownership or other financial interest in pawnshop and requires written disclosure to county clerk if family member has such interest. Amends TCA Title 8, Chapter 8. by *Bunch.

***House Bill No. 2204** -- Child Custody and Support - Prohibits department of human services from hearing petitions to modify child support order; requires court approval of adjustments to child support order made by department. Amends TCA Title 36; Title 37 and Title 71. by *Bunch.

***House Bill No. 2205** -- Education - Provides that extended contract supplements can be paid only to classroom teachers. Amends TCA Title 49, Chapter 5, Part 50. by *Bunch.

***House Bill No. 2206** -- Child Custody and Support - Requires administrative orders adding amount to monthly support order to be approved by court within 20 days, unless administrative appeal filed. Amends TCA Title 36; Title 37 and Title 71. by *Bunch.

***House Bill No. 2207** -- Child Custody and Support - Prohibits department of human services from initiating child support actions on behalf of persons not eligible for support services; prohibits department from initiating child support actions without prior determination of custody. Amends TCA Title 36; Title 37 and Title 71. by *Bunch.

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***House Bill No. 2208** -- Workers' Compensation - Requires advisory council to report to general assembly by January 15, 2003, concerning desirability of using medical fee schedules to contain workers' compensation cases. Amends TCA Title 50, Chapter 6. by *Bunch.

***House Bill No. 2209** -- Courts, Juvenile - Clarifies that appeals from juvenile delinquency proceedings must be made to criminal court or court with criminal jurisdiction and appeals from unruly proceedings or dependent and neglect proceedings must be made to circuit court. Amends TCA Title 37, Chapter 1. by *Bunch.

***House Bill No. 2210** -- Driver Licenses - Requires copy of citation issued to driver under age 18 for moving violation be sent to such driver's parent or legal guardian. Amends TCA Title 55. by *Davis (Washington).

***House Bill No. 2211** -- Insurance Companies, Agents, Brokers, Policies - Requires commissioner of commerce and insurance to report to legislative committees concerning NAIC Long-Term Care Insurance Regulation by January 15, 2003. Amends TCA Title 56. by *Davis (Washington).

***House Bill No. 2212** -- Medical Occupations - Revises disciplinary violations pertaining to respiratory care practitioners; provides that persons have until January 1, 2004, to obtain credential of registered respiratory therapist (RRT) in order to be licensed in Tennessee. Amends TCA Title 63, Chapter 27. by *Davis (Washington).

***House Bill No. 2213** -- Public Contracts - Requires contracts with state or state entities to be awarded to business which has home office and operates in Tennessee if bid is equal to or better than bid from out-of-state business. Amends TCA Title 12, Chapter 4, Part 1. by *Davis (Washington).

***House Bill No. 2214** -- Criminal Procedure - Permits evidence of defendant's prior convictions for sex offenses involving victims who were less than 10 years old to be introduced and considered as relevant at any trial in which defendant is charged with specified sex offense in which victim is less than 10 years old. Amends TCA Title 40, Chapter 17. by *Scroggs.

***House Bill No. 2215** -- Criminal Procedure - Permits evidence of defendant's prior convictions for sex offenses involving victims who were less than seven years old to be introduced and considered as relevant at any trial in which defendant is charged with specified sex offense in which victim is less than seven years old. Amends TCA Title 40, Chapter 17. by *Scroggs.

***House Bill No. 2216** -- Education - Requires state board of education to develop and disseminate model grading policy. Amends TCA Title 49. by *Dunn.

House Bill No. 2217 -- Education - Allows student report cards to be posted at school. Amends TCA Title 49. by *Dunn.

***House Bill No. 2218** -- Education - Includes U.S. Constitution in list of documents which can be freely displayed and used in schools. Amends TCA Title 49, Chapter 6. by *Dunn.

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***House Bill No. 2219** -- Administrative Procedure (UAPA) - Permits petition for judicial review of final decision of department of children's services in contested case to be filed in county in which one or more petitioners reside as well as in county of residence of commissioner. Amends TCA Title 4, Chapter 5. by *Dunn.

***House Bill No. 2220** -- Taxes, Tobacco, Tobacco Products - Increases taxes on cigarettes, beer, wine, and liquor; allocates proceeds from tax increase to elementary, secondary, and higher education Amends TCA Title 49; Title 57 and Title 67. by *Dunn.

***House Bill No. 2221** -- Appropriations - Makes appropriations for operation of state government for fiscal year 2002-2003. by *Dunn.

***House Bill No. 2222** -- Animals and Animal Cruelty - Prohibits circuses utilizing elephants as public entertainment from performing in Tennessee. Amends TCA Title 70, Chapter 4, Part 4. by *Arriola.

***House Bill No. 2223** -- Adoption - Allows surrender or consent to be executed prior to birth; prohibits revocation of surrender or consent except in cases of fraud, duress, or intentional misrepresentation; eliminates 10-day waiting period before surrender revocation allowed. Amends TCA Title 36, Chapter 1. by *Arriola.

House Bill No. 2224 -- Taxes, Hotel Motel - Continues Davidson County 1 percent hotel occupancy tax for tourism promotion by deleting sunset provision which repealed increase effective June 30, 2002. Amends Chapter 320 of the Public Acts of 1999. by *Arriola, *Garrett.

House Bill No. 2225 -- Aged Persons - Requires commissioner of health to submit waiver to federal department of health and human services that includes personal care services and similar assistive care services rendered in homes for aged as reimbursable activity under waiver. Amends TCA Title 68 and Title 71. by *Arriola.

***House Bill No. 2226** -- Taxes, Real Property - Removes requirement that veteran's permanent total disability be combat-related in order to obtain property tax relief; changes period of service as POW from at least five months to at least 30 days for receipt of property tax relief by veterans who are 100 percent permanently disabled. Amends TCA Section 67-5-704. by *Overbey.

***House Bill No. 2227** -- Taxes - Changes qualifying period of confinement as prisoner of war for 100 percent disabled veterans seeking property tax relief from five months to 30 days. Amends TCA Section 67-5-704. by *Overbey.

***House Bill No. 2228** -- Aged Persons - Transfers commission on aging and disabilities to department of human services. Amends TCA Title 4 and Title 71. by *DeBerry L.

House Bill No. 2229 -- Tennessee Housing Development Agency - Requires THDA to develop forecasting plan for funding of single-family housing. Amends TCA Title 13, Chapter 23, Part 1. by *DeBerry L.

House Bill No. 2230 -- Aged Persons - Provides for certain assistive community care services in private nonmedical institutions to be eligible for Medicaid reimbursement. Amends TCA Title 12; Title 68 and Title 71. by *DeBerry L.

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***House Bill No. 2231** -- Corporations, Not for Profit - Makes nonprofit organizations and philanthropic individuals who sponsor charitable fundraising events immune from suit arising from personal injuries and other damage to property that occurs at such events. Amends TCA Title 29 and Title 48, Chapter 58. by *DeBerry L.

House Bill No. 2232 -- Telecommunications - Exempts locally-owned tower companies from assessment of telecommunications tower properties by comptroller of treasury. Amends TCA Section 67-5-514. by *DeBerry L.

***House Bill No. 2233** -- Consumer Protection - Prohibits price-gouging resulting from terrorist act, war, strike, or natural disaster. Amends TCA Title 47, Chapter 18 and Title 58, Chapter 2. by *Odom.

***House Bill No. 2234** -- Consumer Protection - Prohibits price-gouging resulting from terrorist act, war, strike, or natural disaster. Amends TCA Title 47, Chapter 18 and Title 58, Chapter 2. by *Odom.

***House Bill No. 2235** -- Consumer Protection - Requires wireless communication provider to notify consumer of contract expiration date in writing on every billing statement. Amends TCA Title 47, Chapter 18. by *Odom.

***House Bill No. 2236** -- Consumer Protection - Requires wireless communication provider to notify consumer of contract expiration date in writing and to notify consumer 30 days prior to contract expiration; notification may be made on consumer's monthly statement or by separate mailing; failure to notify consumer shall result in provider furnishing free services for six months. Amends TCA Title 47, Chapter 18. by *Odom.

***House Bill No. 2237** -- Forest and Forest Products - Enacts "Tennessee Forest Resources Conservation Act of 2001." Amends TCA Title 11, Chapter 4 and Title 69, Part 1. by *Odom.

***House Bill No. 2238** -- Funeral Directors and Embalmers - Creates Tennessee comprehensive funeral services pool to compensate persons who do not receive funeral services agreed upon in preneed funeral contracts. Amends TCA Title 62, Chapter 5, Part 4. by *Odom, *Garrett.

***House Bill No. 2239** -- Health Care - Authorizes persons not licensed in Tennessee to provide emergency medical care at large public events of limited duration. Amends TCA Section 68-140-516 and Section 68-140-506. by *Godsey.

***House Bill No. 2240** -- Food and Food Products - Revises fees and requirements which apply to food service establishments operating at certain farmers' markets. Amends TCA Title 68, Chapter 14, Part 3. by *Godsey.

***House Bill No. 2241** -- Private Investigators - Exempts special deputies in Sullivan County from private protective services licensing requirement. Amends TCA Section 62-35-103. by *Godsey.

House Bill No. 2242 -- Day Care - Suspends implementation of rated licensing system for two years. Amends TCA Section 71-3-502. by *Buck.

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***House Bill No. 2243** -- Civil Procedure - Clarifies that in civil action in general sessions court, any claim defendant has against plaintiff is not barred by statute of limitations if it was not barred at time plaintiff commenced suit. Amends TCA Section 28-1-114. by *Buck.

***House Bill No. 2244** -- Employees, Employers - Reduces length of time female employee is required to provide advance notice of maternity leave from three months to 60 days. Amends TCA Section 4-21-408. by *Sharp.

***House Bill No. 2245** -- Employees, Employers - Changes advance notice requirements for female employees under maternity leave statute. Amends TCA Section 4-21-408. by *Sharp.

***House Bill No. 2246** -- Highways, Roads and Bridges - Requires department of transportation to minimize noise impact from highway traffic on certain noise sensitive areas. Amends TCA Title 54. by *Sharp.

***House Bill No. 2247** -- Employees, Employers - Reduces maximum maternity leave under statute from four months to 17 work weeks. Amends TCA Section 4-21-408. by *Sharp.

***House Bill No. 2248** -- Railroads - Prohibits rail traffic in Shelby and Davidson counties between 6:30-8:30 am and 4:00-6:00 pm; penalty for violation is \$1,000 per violation. Amends TCA Title 65, Chapter 12, Part 1. by *Stanley.

***House Bill No. 2249** -- Pest Control - Prohibits pest control companies from spraying outside homes unless specifically requested to do so by homeowner in writing; if pest control company has contract with homeowner and cannot contact homeowner, company may still charge for services if homeowner does not respond within sixty days after date property was to be treated. Amends TCA Title 47, Chapter 18 and Title 62, Chapter 21, Part 1. by *Stanley.

***House Bill No. 2250** -- Environmental Preservation - Protects owners of property from liability for leaking petroleum underground storage tanks if owner of property does not operate such tanks and owner of tanks participates in petroleum underground storage tank fund. Amends TCA Title 68, Chapter 215, Part 1. by *McDaniel.

***House Bill No. 2251** -- Taxes, Real Property - Increases from \$140,000 to \$175,000 full market value amount for which certain disabled veterans may receive reimbursement for all or part of local property taxes paid on such veteran's residence. Amends TCA Title 67, Chapter 5, Part 7. by *McDaniel.

***House Bill No. 2252** -- Motor Vehicles, Titling and Registration - Allocates proceeds from sale of all environmental specialty earmarked motor vehicle license plates to division of state parks within department of conservation and environment to be used solely for operation and maintenance of state parks. Amends TCA Title 55, Chapter 4, Part 2. by *McDaniel.

***House Bill No. 2253** -- Public Contracts - Establishes contracting preference for entities that provide retirement and health insurance benefits for their employees. Amends TCA Title 12, Chapter 4. by *Bowers.

***House Bill No. 2254** -- Public Contracts - Exempts entities contracting with state from audit by state agency over same matters that comptroller audit has reviewed. Amends TCA Title 8 and Title 12, Chapter 4. by *Bowers.

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***House Bill No. 2255** -- DUI/DWI Offenses - Establishes alcohol and drug abuse treatment pilot program in Shelby County for certain DUI probation violators. Amends TCA Title 40, Chapter 33 and Title 55, Chapter 10, Part 4. by *Bowers.

House Bill No. 2256 -- Taxes, Real Property - Adds municipal collector to list of persons to be notified when taxpayer prevails in appeal to local or state board of equalization. Amends TCA Section 67-5-1512. by *Bowers.

House Bill No. 2257 -- Highway Signs - "Isaac W. Northern, Jr. Bridge", I-55 overpass bridge on Winchester Road in Memphis. by *Bowers.

***House Bill No. 2258** -- Foster Care - Extends current relative caregiver program through 2004 and expands pilot program to include Knox and Hamilton counties. Amends TCA Section 71-3-136. by *Bowers.

House Bill No. 2259 -- Hospitals and Health Care Facilities - Requires licensed health care facilities to report certain unusual events. Amends TCA Title 68, Chapter 11. by *DeBerry L, *DeBerry J.

***House Bill No. 2260** -- Railroads - Clarifies that requirement to carry engineer's operator permit while operating locomotive is in compliance with applicable federal requirements. Amends TCA Title 65, Chapter 12. by *Newton.

***House Bill No. 2261** -- Railroads - Requires any entity constructing crossing or converting private crossing to public crossing to pay all associated costs; removes prohibition against department granting approval for construction or conversion on roads not designated as being on state system of highways. Amends TCA Section 65-11-101. by *Newton, *Ridgeway.

***House Bill No. 2262** -- Railroads - Reduces annual inspection, control, and supervision fee paid by railroad companies on ton miles from 4 cents per 1,000 ton miles to 2 cents per 1,000 ton miles. Amends TCA Section 65-3-201. by *Ridgeway, *Newton, *Head.

House Bill No. 2263 -- Health, Dept. of - Requires department and Tennessee emergency management agency to develop plan and procedures for responding to biological or chemical attack. Amends TCA Title 68. by *Towns.

House Bill No. 2264 -- Education - Enacts "Discipline Act of 2002." Amends TCA Title 49, Chapter 6, Parts 34. by *Towns.

House Bill No. 2265 -- Taxes, Sales - Creates sales tax exemption for natural gas used in production of soy bean based food products. Amends TCA Title 67, Chapter 6, Part 2. by *Turner (Shelby).

House Bill No. 2266 -- Motor Vehicles, Titling and Registration - Authorizes issuance of Order of Eastern Star, Prince Hall Affiliated new specialty earmarked license plates; allocates 50 percent of funds produced from sale thereof to Wolverine Guild Charities of Memphis. Amends TCA Title 55, Chapter 4. by *Turner (Shelby).

House Bill No. 2267 -- Hotels and Restaurants - Prohibits hourly charges for hotel rooms; requires room fees in increments of one day or more. Amends TCA Title 7; Title 62; Title 67 and Title 68. by *Turner (Shelby).

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House Bill No. 2268 -- District Attorneys - Establishes pilot project in 30th judicial district to investigate complaints of criminal misconduct occurring during divorce proceedings; creates criminal investigator position in such district to investigate such complaints; and establishes January 10, 2004, reporting date to general assembly on results of such project. Amends TCA Title 8, Chapter 7, Part 1 and Title 16, Chapter 2, Part 5. by *Turner (Shelby).

House Bill No. 2269 -- Funeral Directors and Embalmers - Authorizes motorcycle escorts of funeral processions to use strobe lights during such processions if sheriff agrees. Amends TCA Section 55-8-183. by *Fitzhugh.

***House Bill No. 2270** -- Fire Prevention and Investigation - Excludes educational posters or other paper materials on classroom walls and "reading lofts" from purview of fire inspectors. Amends TCA Title 68, Chapter 120. by *Casada.

***House Bill No. 2271** -- Public Health - Enacts "Tennessee Emergency Health Powers Act." Amends TCA Title 68. by *Bowers.

***House Bill No. 2272** -- Hospitals and Health Care Facilities - Removes limitations on certificates of need for mobile magnetic resonance imaging systems; provides that one certificate of need is sufficient for mobile system providing services to multiple facilities within defined geographic area. Amends TCA Title 68, Chapter 11, Part 1. by *Bowers.

House Bill No. 2273 -- Medical Occupations - Enacts "Surgical Technologist Licensure Act." Amends TCA Title 63. by *Cooper B, *Brooks, *Turner (Shelby), *Montgomery.

House Bill No. 2274 -- Education - Requires state to conduct assessment of needs of low-performing schools that includes specific recommendations for additional intensive services. Amends TCA Title 49. by *Cooper B, *Briley, *Turner (Shelby), *Miller L, *Bone, *Chumney.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

***House Bill No. 2094** -- Environmental Preservation -- House State and Local Government Committee

***House Bill No. 2095** -- Environmental Preservation -- House State and Local Government Committee

***House Bill No. 2096** -- Environmental Preservation -- House State and Local Government Committee

***House Bill No. 2097** -- Environmental Preservation -- Caption Bill Held on House Desk

***House Bill No. 2098** -- Conservation -- Caption Bill Held on House Desk

***House Bill No. 2099** -- Environmental Preservation -- House Government Operations Committee

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***House Bill No. 2100** -- Environmental Preservation -- Caption Bill Held on House Desk

***House Bill No. 2101** -- Health Care -- House Health and Human Resources Committee

House Bill No. 2102 -- Sevier County -- Local Bill Held on House Desk

House Bill No. 2103 -- Sevier County -- Local Bill Held on House Desk

House Bill No. 2104 -- Sevier County -- House Education Committee

***House Bill No. 2105** -- Health Care -- House Health and Human Resources Committee

House Bill No. 2106 -- School Transportation -- House Transportation Committee

***House Bill No. 2107** -- Nurses, Nursing -- House Health and Human Resources Committee

***House Bill No. 2108** -- Naming and Designating -- House State and Local Government Committee

REPORTS FROM STANDING COMMITTEES

The committees that met on **January 15, 2002**, reported the following:

FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 728. Under the rules, each was transmitted to the Calendar and Rules Committee.

**BILLS REFERRED
January 17, 2002**

Pursuant to **Rule No. 44**, the following bill(s) was/were referred to the following Committee(s):

***House Bill No. 2330** -- Budget Procedures -- House Finance, Ways and Means Committee

RULES SUSPENDED

Rep. L. DeBerry moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 622 out of order, which motion prevailed.

House Joint Resolution No. 622 -- Memorials, Recognition - Gwendolyn Elizabeth Boyd. by *DeBerry L.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. L. DeBerry, the resolution was adopted.

A motion to reconsider was tabled.

CONSENT CALENDAR

House Joint Resolution No. 600 -- Memorials, Death - Drue H. Smith. by *Davidson.

House Joint Resolution No. 601 -- Memorials, Death - William Ealon Martin. by *Rhinehart.

House Joint Resolution No. 602 -- Memorials, Recognition - William "Clyde" Stephens, Jr., Emergency Medical Technician Gold Medal Award. by *Fraleigh.

House Joint Resolution No. 603 -- Memorials, Public Service - Teddy Bart and Karlen Evins for their work in "Teddy Bart's Round Table" and its extension through "The Public Forum," a not-for-profit educational broadcast foundation. by *West, *Kisber.

House Joint Resolution No. 604 -- Memorials, Sports - Riverdale High School football team, TSSAA Class 5A champions. by *Hood, *Rowland, *Beavers.

House Joint Resolution No. 605 -- Memorials, Recognition - Lawrenceburg Kiwanis Club, a Tennessee State Championship Barbecue Cook-Off. by *White.

House Joint Resolution No. 606 -- Memorials, Heroism - Commander John Anthony Feldhaus, U.S. Navy. by *White.

House Joint Resolution No. 607 -- Memorials, Congratulations - Charles Michael Layne. by *Lewis.

House Joint Resolution No. 608 -- Memorials, Congratulations - Alice D. Bailey. by *Lewis.

House Joint Resolution No. 609 -- Memorials, Sports - John L. Beaty, TSSAA Class 5A "Mr. Football". by *Hood, *Rowland, *Beavers.

House Joint Resolution No. 610 -- Memorials, Sports - Kennedy Cooper. by *Hargrove.

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House Joint Resolution No. 611 -- Memorials, Sports - Ralph King, TSSAA Class 5A "Mr. Football", by *Hood, *Rowland, *Beavers.

House Joint Resolution No. 612 -- Memorials, Recognition - Hendley Family Association, Inc. by *Hargrove.

House Joint Resolution No. 613 -- Memorials, Sports - Kendall Newson, All-American candidate, Middle Tennessee State University wide receiver. by *Hood, *Rowland, *Beavers.

House Joint Resolution No. 614 -- Memorials, Sports - Dwone Hicks, MTSU Running Back. by *Hood, *Rowland, *Beavers.

House Joint Resolution No. 615 -- Memorials, Sports - Wes Counts, MTSU Quarterback. by *Hood, *Rowland, *Beavers.

House Joint Resolution No. 616 -- Memorials, Sports - Middle Tennessee State University football team, Sun Belt Conference champions. by *Hood.

House Joint Resolution No. 617 -- Memorials, Personal Achievement - Myers Browning Parsons, Sr., 2002 Heart Ball Honoree. by *Hood, *Beavers.

Senate Joint Resolution No. 482 -- Memorials, Death - Leah Rose Werthan. by *Henry, *Cohen, *Harper, *Haynes.

Senate Joint Resolution No. 483 -- Memorials, Death - Mary Jane Werthan. by *Henry, *Cohen, *Harper, *Haynes, *Herron.

Senate Joint Resolution No. 484 -- Memorials, Death - George Oliver Benton. by *Carter, *Williams, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper J, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jackson, *Kurita, *Kyle, *McNally, *Miller J, *Norris, *Person, *Ramsey, *Rochelle, *Trail, *Wilder.

Senate Joint Resolution No. 485 -- Memorials, Public Service - Clark Baker. by *Henry, *Herron, *Harper.

Senate Joint Resolution No. 487 -- Memorials, Death - Sammie Lynn Puett of Knoxville. by *Burchett, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper J, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jackson, *Kurita, *Kyle, *McNally, *Miller J, *Norris, *Person, *Ramsey, *Rochelle, *Trail, *Wilder, *Williams.

Rep. West moved that all members voting aye on House Joint Resolution(s) No(s). 600 and 603 and Senate Joint Resolution(s) No(s). 484 and 487 be added as sponsors, which motion prevailed.

Rep. Hood moved that all members voting aye on House Joint Resolution(s) No(s). 604 and 616 be added as sponsors, which motion prevailed.

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Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 277 -- Redistricting, Congressional - Declares intent that congressional redistricting shall comply with federal and state constitutional mandates and applicable judicial decisions. Amends TCA Title 2 and Title 3. by *Davidson, *Rinks, *McDonald, *Arriola, *DeBerry L. (*SB199 by *Crutchfield, *Graves)

Further consideration of House Bill No. 277 previously considered on January 10, 2002, at which time it was reset for today's Calendar.

BILL RE-REFERRED

Rep. Davidson moved that House Bill No. 277 be re-referred to the State and Local Government Committee and placed on notice for Tuesday, January 22, 2002, which motion prevailed.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE MESSAGE

House Bill No. 1267 -- Forest and Forest Products - Prohibits clear cutting in Standing Stone State Park. Amends TCA Title 11, by *Windle, (*SB281 by *Davis L, *Burks, *Williams)

Further consideration of House Bill No. 1267 previously considered on May 17, 2001, May 29, 2001, June 4, 2001, January 8, 2002 and January 10, 2002, at which time it was reset for today's Message Calendar.

Senate Amendment No. 1

AMEND House Bill No. 1267 by deleting all language following the enacting clause of the printed bill and by substituting instead the following:

SECTION 1. The commissioner of environment and conservation shall prohibit the forestry practice of clear-cutting in all state parks. The department of environment and conservation shall not conduct clear-cutting operations in such parks, nor permit any other person or lessee to conduct clear-cutting operations in such parks.

SECTION 2. Notwithstanding the provisions of Section 1, clear-cutting may be permitted in state parks in cases of natural disaster or insect infestation provided that the department of environment and conservation has determined prior to any such clear-cutting that it is a reasonable and appropriate response to such disaster or infestation and that it is consistent with the department's duty to preserve and maintain the parks. Such clear-cutting may occur only in a manner approved in advance by the department.

SECTION 3. This act shall take effect July 1, 2001, the public welfare requiring it.

Rep. Windle moved that the House concur in Senate Amendment(s) No(s). 1 to House Bill No. 1267.

Rep. Ferguson moved that House Bill No. 1267 be reset for the Message Calendar on February 7, 2002, which motion prevailed.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Davidson moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 508 out of order, which motion prevailed.

Senate Joint Resolution No. 508 -- General Assembly, Recess & Reconvene - Recesses general assembly from close of business on Thursday, January 17, 2002, to Monday, January 28, 2002, at 5:00 p.m. (CST). by *Crutchfield.

On motion of Rep. Davidson, and seconded by Rep. McDaniel, the resolution was concurred in.

A motion to reconsider was tabled.

MOTION TO RESET BILLS

Rep. Davidson moved that all bills set for a Calendar on Monday, January 21, 2002, Wednesday, January 23, 2002, and Thursday, January 24, 2002 be reset for the Calendars on Monday, January 28, 2002, which motion prevailed.

RULES SUSPENDED

Rep. Davidson moved that **Rule No. 47** be suspended to allow all bills filed to be referred to the appropriate standing committee prior to being passed on second consideration.

RULES SUSPENDED

Rep. Brooks moved that the rules be suspended for the purpose of introducing House Resolution No. 185 out of order, which motion prevailed.

House Resolution No. 185 -- Memorials, Personal Occasion - Elder James Moten, Sr. and Mrs. Viola Moten, 50th wedding anniversary. by *Brooks.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Brooks, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Head moved that the rules be suspended to allow **House Bill No. 2330** to be heard in the Finance, Ways and Means Committee on Tuesday, January 22, 2002, which motion prevailed.

APPOINTMENT OF STANDING COMMITTEES

The Speaker announced that Rep. Casada has been assigned to the Education Committee and the Health and Human Resources Committee.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 532: Rep(s). Ridgeway as first prime sponsor(s).

House Bill No. 845: Rep(s). Garrett as first prime sponsor(s).

House Bill No. 1833: Rep(s). S. Jones as prime sponsor(s).

House Bill No. 2329: Rep(s). Ridgeway and Shepard as prime sponsor(s).

House Bill No. 2456: Rep(s). McDonald as prime sponsor(s).

House Bill No. 2457: Rep(s). McDonald as prime sponsor(s).

House Bill No. 2458: Rep(s). McDonald as prime sponsor(s).

**ENROLLED BILLS
January 17, 2002**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 185; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED
January 17, 2002**

The Speaker signed the following: House Resolution(s) No(s). 185.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENGROSSED BILLS
January 17, 2002

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617 and 622.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
January 17, 2002

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 482, 483, 484, 485, 487 and 508; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

SIGNED
January 17, 2002

The Speaker signed the following: Senate Joint Resolution(s) No(s). 482, 483, 484, 485, 487 and 508.

MESSAGE FROM THE GOVERNOR
January 17, 2002

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 274, 276, also, House Joint Resolution(s) No(s). 594, 595, 596 and 597; with his approval.

JAY BALLARD, Counsel to the Governor.

CONSENT CALENDAR
January 17, 2002

The following local bills have been placed on the Consent Calendar for **January 28, 2002**: House Bill(s) No(s). 150, 2042, 2102 and 2103.

ROLL CALL

The roll call was taken with the following results:

Present93

THURSDAY, JANUARY 17, 2002 – SEVENTIETH LEGISLATIVE DAY

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

RECESS MOTION

On motion of Rep. Davidson, and pursuant to Senate Joint Resolution No. 508, the House stood in recess until 5:00 p.m., Monday, January 28, 2002.